IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25052 of 2004

Between:

1 Aileni NarayanReddy S/o Veera Reddy
Both are Residing in Husnabad (V) &(M) Karimnagar District.
2 Aileni Ram Reddy S/o veera Reddy
Both are Residing in Husnabad (V) &(M) Karimnagar District.

..... PETITIONERS

AND

1 The District Collector (ROR) karimnagar.
2 The Revenue Divisional Officer Karimnagar.
3 The Mandal Revenue Officer, Husnabad (M) karimnagar District.
4 Aileni Hanmi Reddy S/o Bal Reddy
Residing in Husnabad(V) & (M) Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 2nd respondent in file No.D/4703/03, dt. 09/12/2003 which was confirmed as per the order passed in file No.D1/173/04 dt. 24/11/2004 of the 1st respondent are bad, illegal, void and set aside the same.

Counsel for the Petitioner: MR.C.RAMESH SAGAR

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4: --

The Court at the stage of admission made the following:

ORDER:

The petitioners, in the affidavit filed in support of the petition, submitted that their father and 4th respondent are joint owners of land admeasuring Ac.1.16 guntas in Sy.No.227/C, situate at Husnabad village of Karimnagar District. The petitioners allege that after demise of their father the property stands in the name of 4th respondent and on demand the 4th respondent has executed an agreement of sale dated 27.01.1993 in their favour with regard to their share, being legal heirs. They further allege that they filed a civil suit for specific performance in O.S.No. 14 of 2003 on the file of Senior Civil Judge, Huzurabad, against the 4th respondent and obtained interim injunction in I.A.No.116 of 2003 dated 24-3-2003. In the meanwhile the 2nd respondent passed orders in file No.D/4703/03 dated 09.12.2003 rectifying the entries in the adangals at the instance of the 4th respondent. That basing on the order dated
9-12-2003, the interim injunction granted by the Court on 24-3-2003 was vacated by order dated 19-8-2004. It is also stated that as against the order dated 19-8-2004, the petitioner filed an appeal before the District Court, Karimnagar and the same is pending. The petitioner has also preferred a revision against the order dated 9-12-2003 and the same was dismissed by order dated 24-11-2004 confirming the order dated 9-12-2003. Hence, the present writ petition.

Heard the learned counsel for the petitioner and the learned Government pleader for Revenue. Both the counsel agreed for disposal of the writ petition at the admission stage.

Since the appeal stated to have been filed by the petitioner is pending, I am not inclined to interfere with the matter. If the petitioner is aggrieved by the activities of the third respondent, the appropriate remedy open for him is to seek necessary orders, in the pending appeal filed by him.

For the foregoing reasons, the writ petition is dismissed. No costs.

_____ N.V.RAMANA,J

Dated: 24.01.2005

Dsr/Tvk

To:

1 The District Collector (ROR) karimnagar.
2 The Revenue Divisional Officer Karimnagar.
3 The Mandal Revenue Officer, Husnabad (M) karimnagar District.
4. Two CCs to the Government Pleader for Revenue,

High Court Buildings, Hyderabad(OUT)

5 Two CD copies

*Form-NIC-OGS/WP{**GR**}*